

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1618 OF 2006

Mr. Premsagar Raghunath Ram

....Applicant.

V/s

The State of Maharashtra

....Respondent.

Mr. V.Y. Mishra for the applicant.

Ms. Rajeshree M. Gadhvi, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 24th April, 2006

P.C.

1. Heard the learned Counsel for the applicant and

the APP for the State.

2. The applicant was arrested on 17/3/2006 in respect of C.R. No.I-83 of 2006 registered with Nalasopara Police Station for the offence punishable under sections 324, 326, 504, 506 read with section 34 of the Indian Penal Code.

3. The prosecution case is that the applicant had a shop in front of the shop of the complainant. There was some altercation and the applicant assaulted the complainant. The charge-sheet is not filed. However, the investigation is almost over. The statements of the witnesses are recorded.

4. I have perused the injury certificate. It appears

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that there are no incised wounds and there are in all 8 injuries. Most of the injuries are abrasions and there is swelling on the head and near the private part.

5. In my view, since the investigation is almost over and the injuries do not appear to be grievous, the applicant is entitled to be released on bail. The applicant be released on bail in the sum of Rs 5000/- with one or two sureties in the like amount. The applicant shall report to the concerned Police Station once in a month. The applicant shall not tamper with the evidence and threaten any of the witnesses.

6. The trial court shall not be influenced by any observation made by this Court while deciding this criminal application and the same may not be construed to mean as an expression of opinion on the merits of the case and decide the case on its merits and in accordance with law.

7. Application is accordingly disposed of.

8. C.C. expedited.

V.M. KANADE, J.